

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 08-05-14**

Date Published: May 8, 2008
For Work Week Commencing: May 12, 2008
Commission Meeting: May 14, 2008, 9:00 a.m.

General Introduction *This agenda is the Commission's Utility Division agenda for the work week designated. In the latter part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.mt.gov>.*

Place of Meetings *All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.*

Live webcast *Unless otherwise noted on this agenda, all Commission meetings held during regular business hours that are noticed on this agenda will be webcast live via the audio and video feed links on the PSC website (<http://psc.mt.gov/eDocs/#Calendars>). The audio feeds of meetings are also archived at the same website location.*

Inquiries *General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.*

Accommodation for Persons with Disabilities *Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.*

9:00 a.m. Weekly Scheduling (Commission Conference Room – No Web Audio Feed)

9:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission business meeting.

1. Qwest Corporation N2008.4.40 (Gary)

On April 21, 2008 Qwest Corporation (Qwest) filed for Commission approval a Multi-State Agreement (MSA) between Qwest and Green Tree Servicing, LLC (Green Tree). Qwest is filing the MSA with the Commission for approval pursuant to the Commission's April 16, 2004 Notice of Commission Action (NCA) in Docket N2003.10.149. The MSA is the result of Green Tree accepting a regional contract proposal from Qwest to provide service within Qwest's incumbent territory, including Montana. The services purchased by Green Tree are available from other competitive carriers in addition to Qwest. Probable Motion: Move to approve the Qwest Corporation/Green Tree Servicing, LLC MSA in Docket No. N2008.4.40

2. MONTANA DAKOTA UTILITIES D2007.7.79 Leroy)

On April 28, 2008, Montana-Dakota Utilities (MDU) submitted compliance tariffs as a result of the issuance of Order No. 6846f. In its filing, MDU requested a waiver of Sections 2b and 3a-d of Rate 58 relative to the minimum filing requirements and the Unreflected Fuel Cost Adjustment that would be effective on July 1, 2008, under Rate 58. MDU request to defer the initial filing until the July 1, 2009 fuel cost tracker, as there will only be one month of information available at the time of the July 2008 filing. This will not affect the timing of the monthly adjustments reflecting changes in the average costs of fuel and purchased power beginning with the adjustment submitted with these compliance tariffs. – Probable Motion: Move to defer the initial filing of Sections 2b and 3a-d of Rate 58 relative to the minimum filing requirements and the unreflected fuel cost adjustment until the July 1, 2009 fuel cost tracker as described in the compliance tariffs in Docket D2007.7.79

Work Sessions All items identified below are for Commission discussion or action on the day designated.

1. D2008.3.19 – Qwest Corporation and Syniverse Technologies, Inc. – Interconnection Agreement – Discuss and act on the agreement. (05/14/08)
2. Placeholder – D2008.4.36 – NorthWestern Corporation – Investigation of NorthWestern Corporation's Compliance with Order 6505e – Possibly discuss and act on the portion of Montana Consumer Counsel's Motion for Order Compelling Production and for Related Relief dealing with requiring NORC to state unequivocally whether or not NORC will refrain from making

or causing to be made any transfers of Colstrip 4 for the pendency of the proceedings in this docket. (05/14/08)

3. Placeholder – NorthWestern Corporation – To further explore filing with a court of appropriate jurisdiction for an injunction to enjoin NorthWestern Corporation from selling its interests in Colstrip 4 to an unrelated party(s). (05/14/08)
4. D2007.7.86 – Cut Bank Gas – Over Collection – Direction Decision. (05/14/08)
5. D2007.6.63 – Energy West Montana – Natural Gas Annual Tracker True-up – Act on EWM's request to make final all the interim rates from the tracker period and proposed rates of \$1,544,631 for under-recovery. (05/14/08)

Other Meetings

Weekly Scheduling, Review of Monthly Calendars, and Docket Status Updates (if requested by a Commissioner).

Notice Items All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at <http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

Protective Orders – Notice Items The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person wanting a copy of a protective order request should contact the Commission at (406) 444-6199.

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1. Qwest Corporation N2008.5.46 (Jim)

On May 6, 2008, Qwest Corporation (Qwest) filed for Commission approval a Motion for Protective Order seeking to preclude public disclosure of (a) Annual Report Schedule 23 information (detailed compilation of the number of customers purchasing the major types of service in each of Qwest's Montana wire centers); and, (b) Annual Report Schedule 27 information (top 10 Montana-based employees compensation).

2. NorthWestern Energy (NWE) D2007.7.82 (Al)

On May 5, 2008, NWE and Management Application Consulting (MAC) filed a joint motion for protective order to govern access to certain confidential information that they expect to be requested in this docket. Specifically, NWE and MAC seek protection of software models consisting of a number of confidential calculations, methods, and procedures that develop and quantify marginal costs for NWE's electric and natural gas operations. NWE and MAC assert that the information is confidential as trade secret.

3. Southern Montana Telephone Company N2008.5.47 (Jim)

On May 8, 2008, Southern Montana Telephone Company (SMTTC) filed for Commission issuance of a Protective Order which would protect from public disclosure Annual Report Schedule 27 and 28 information reflecting compensation to SMTTC ten highest paid employees based in Montana.

Protective Orders – Information Items The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008. Copies of these orders may be obtained by calling the Commission at (406) 444-6199.

Information Items All items identified below are for information only.

New Filings Received in Past Week

D2008.5.43 – Qwest Corporation and Access Point, Inc. - Application for Approval of Wireline Interconnection Agreement

N2008.5.46 – Qwest Corporation – Motion for Protective Order Related to portions of its 2007 Annual Report

N2008.5.47 – Southern Montana Telephone Company – Motion for Protective Order for Certain Information in its 2007 Annual Report

D2008.5.48 – United Materials of Great Falls, Inc. and Exergy Development Group, LLC – Petition to have Commission Set Contract Terms and Conditions Pursuant To MCA 69-3-603 and Interim Order

